

BACKENROTH FRANKEL & KRINSKY, LLP
 489 Fifth Avenue
 New York, New York 10017
 (212) 593-1100

USDC SDNY
 DOCUMENT
 ELECTRONICALLY FILED
 DOC #:
 DATE FILED: 30 JUN 2010

Abraham J. Backenroth
 Mark A. Frankel
 Scott A. Krinsky

Telecopier No.
 (212) 644-0544

June 17, 2010

6/30/2010

By Facsimile

Hon. Paul A. Crotty
 Southern District Court
 500 Pearl Street
 New York, New York 10007

Re: Community Preservation Corporation v
1974 Realty Associates, Case No. 10 CV 04381

Dear Honorable Sir:

*This matter is referred to the
 bankruptcy proceeding 10-11417 now
 pending in the Bankruptcy Court, SDNY
 The conference scheduled for 6/30/10 is
 marked "off"
 so advised
 Paul Hult*

I am writing on behalf of the Defendant 1974 Realty Associates regarding the status conference scheduled for June 30, 2010.

The Defendant is a Chapter 11 debtor with a case pending in the Southern District of New York Bankruptcy Court, case no. 10-11417. The case in this Court was originally removed from the Kings County Supreme Court action to District Court for the Eastern District of New York, as required by the Bankruptcy Rules. The District Court for the Eastern District of New York then transferred venue to the Southern District on the consent of the Plaintiff and Defendant because that is where the Defendant's bankruptcy case is pending.

The Plaintiff and Defendant both anticipated after the case arrived in the District Court for the Southern District it would then be referred to the Bankruptcy Court for the Southern District pursuant to the District Court's "Standing Order of Referral of Cases to Bankruptcy Judges" signed by Judge Ward, and Rule 9027 of the Federal Rules of Bankruptcy Procedure.

Accordingly, by this letter, both the Plaintiff and Defendant are inquiring as to whether this case is going to be referred to the Bankruptcy Court, and if so, whether the status conference on June 30, 2010 can be marked off. ✓

Respectfully Submitted,

Mark Frankel

cc: Bruce Mael

MEMO ENDORSED